

**Adams, Hope**

**From:** Besley, Sharon  
**Sent:** Wednesday, October 6, 2021 4:05 PM  
**To:** info@greenvilleareamovers.com; Hall, Roger; Grube-Lybarker, Carri; Mustian, Ben  
**Cc:** Wessinger-Hill, JoAnne; PSC\_Contact; PSC Clerk'sOffice  
**Subject:** Docket No. 2021-152-T, Application of Greenville Area Movers, LLC, for Class E Household Goods Certificate of Public Convenience and Necessity

Good afternoon to All Parties in the above-referenced docket.

In reviewing this docket it is our understanding the applicant, Greenville Area Movers, LLC, is not represented by an attorney. Please note Regulation 103-805(B) of the South Carolina Code of State Regulations regarding the requirement a limited liability company must have the appropriate representation under the law.

- A. **Parties and Their Representatives.** Parties in a case have the right to participate or to be represented in all hearings or pre-hearing conferences related to their case. Except as otherwise provided herein, a party must be represented by an attorney admitted to practice law in South Carolina, or an attorney possessing a Limited Certificate of Admission pursuant to Rule 405, SCACR. No one shall be permitted to represent a party where such representation would constitute the unauthorized practice of law.
- B. Representation of Entities.** Except as otherwise provided in S.C. Code Ann. Regs. 103-805(E), any entity including, but not limited to, a corporation, partnership, limited liability company, or professional association, must be represented by an attorney admitted to practice law in South Carolina, or an attorney possessing a Limited Certificate of Admission pursuant to Rule 405, SCACR.
- C. **Representation of Individuals.** An individual person not admitted to practice law in South Carolina may represent himself or herself, but may not represent another person. A party proceeding without legal representation shall remain fully responsible for compliance with the commission's regulations and the Administrative Procedures Act.
- D. **Notice of Appearance.** An attorney or other person authorized to represent a party before the commission pursuant to this regulation shall file with the commission a notice of appearance when retained or authorized to represent a party after commencement of a case.
- E. **Unopposed Matters in Which an Entity May Proceed without Counsel.** Subject to the conditions specified in this regulation, an entity may proceed through an authorized agent in any unopposed case, including but not limited to the following:
  - 1) application for approval of a tariff,
  - 2) application for approval of a contract,
  - 3) application for approval of an interconnection agreement between telephone carriers,
  - 4) application for approval of a name change,
  - 5) application for a certificate of public convenience and necessity to operate as a Class C motor carrier, including a charter passenger carrier, a charter bus, and a taxi, and
  - 6) application of a mover of household goods for a certificate of FWA.

If the entity chooses not to use an attorney, it shall include in its submission a written statement from the entity's president, chairperson, general partner, owner, chief executive officer, or authorized agent which states substantially the following:

"I am owner, officer, director, or other person authorized to act on behalf of [Name of Company], and on behalf of [Name of Company], I have elected to submit [Title of Document] to the Public Service Commission of South Carolina without the benefit of legal counsel admitted to practice in South Carolina. In electing to file [Title of Document] without legal counsel, I acknowledge and agree to assume the risk, if any, of resulting adverse legal consequences."

However, if the case becomes opposed, the unrepresented entity must obtain legal representation by an attorney authorized to practice law in South Carolina in order for the commission to allow the matter to proceed.

- F. Motion to Withdraw from Representation. An attorney or other person authorized to represent a party before the commission pursuant to this regulation must file a written motion to withdraw from representation of a party or from participation in proceedings.

Please also note, from the South Carolina Code of Laws, "No person may . . . solicit the legal cause of another person or entity in this State unless he is enrolled as a member of the South Carolina Bar pursuant to applicable court rules, or otherwise authorized to perform prescribed legal activities by action of the Supreme Court of South Carolina." S.C. Code Ann. § 40-5-310 (2015).

As I am an attorney for the Public Service Commission, I am unable to provide legal assistance to any party or applicant, or their counsel, but ask all parties to review the applicable statutory and regulatory laws regarding the certification of a motor carrier. Thank you to All Parties in this docket. Also, as noticed in correspondence from the Clerk's Office, "Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at [www.psc.gov](http://www.psc.gov)."

Yours sincerely,

Sharon Besley

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